

Harpswell Conservation Commission
Minutes for Special Meeting of February 6, 2008, 3:30 PM
Municipal Office Building, Mountain Road, Harpswell, Maine

Members present: Mary Ann Nahf (chair), Tony Barrett, Anne Perry (secretary), Pat L'Heureux, Deirdre Strachan.

Absent: Ann Nemrow,

Also present: Carol Tukey (Town Planner)

1. Minutes 1-29-08 meeting approved as submitted.

2. Open Space Plan.

a) Carol suggested a **schedule** for completing the OSP which was generally agreed upon:

February '08 - HCC write and edit.

March 12, '08 (Wednesday) - Fred to join meeting for discussion of maps and rewriting.

April 1 - Draft plan rewritten

April 15 - Draft plan ready for review by other committees (CPIC, Town Lands, Recreation, Mitchell Field, other?) and a Tuesday in April - Presentation of draft plan to CPIC

May 14 -Presentation of draft plan to Planning Board followed by rewrite to incorporate suggestions; put on website for public comment

June dates – Rewrite from comments; Formal presentation to BOS (?) by consultant.

July dates – Public hearing and rewrite. **March 2009 Town Meeting – final vote**

b) Open Space definition re: historic/civic/cultural buildings and their lots. General agreement to leave these on the list and map, since there was quite a bit of interest shown at the forums, and some lots, although developed, have sizeable lots or parks attached (eg. CHL and HIS)

Open Space under Conservation heading is further defined, to quote Deirdre's 2-10-08 e-mail, as:

1. State Lands (393 acres) are protected from a change in their usage by the stipulations set forth in grant assistance funds used to purchase them; by a 2/3 vote in the State Legislature; and/or the consent of the department commissioner and the governor. For example, Eagle Island is unlikely to ever be developed.

However, we know that the State Bureau of Parks and Lands has had discussions about swapping its property at Allen Point Road for another piece of land in another town owned by a developer. When we prepare the final The Open Space Plan we may want to consider recommending that the Town of Harpswell protect its state lands by advocating for their continued use as conservation properties, e.g. Allen Point Road. Perhaps, we also need to check to determine if the Town has adequate documentation of the status of each piece of State land in Harpswell.

2. Federal Lands (39 acres) in Harpswell include four islands which are constrained from development because of their ownership by the Feds and the mandate for their use. Their use can only be changed by the US Secretary of the Interior after an evaluation process. The Open Space Plan could recommend that the Town of Harpswell plan to protect its Federal lands by advocacy for their continued use as conservation/navigation aide properties, in the event that the US Secretary of the Interior tries to change their use.

3. Property owned by Conservation Non-profit Organizations (1308) All of these lands are property permanently protected from development by conservation easements and a covenant with the state.

In summary, we have **1704 acres of conservation land** in Harpswell. Harpswell has a total of **15,469** acres. In other words, **11%** of our land in Harpswell is conservation land. Harpswell has a total of **2490 acres (16.1%** of our land) which has some constraints on its development because of its ownership. These 2490 acres includes the 1704 acres of conservation land, plus other properties with varying constraints on their development.

c) Constrained Lands and Prioritization. Lands to remove from high priority. It was confirmed that high yield wells would be removed as an automatic high priority. They will be included in the water resource category as before and all 5 categories will be given an equal 20%. The equal distribution % will give the results from the Recreation & Open Space Survey more representation.

d) Organization of draft rewrite. Using Deirdre's summary of vision, goals, objectives from the 2005 Comp Plan, Fred's Dec draft OSP, Falmouth's OSP, and suggestions from HCC members, plus Mary Ann's index rewrite/reorder, the Commission came up with a draft outline of a **vision statement** with accompanying **goals**, which will be attached to these minutes as a working document.

Vision and Goals Summary:

1. Preservation of key Open Space for future generations: Goal #5 (Public Services: Recreation and Access to the Sea)
2. Community Character: Goal #1 (Community Character)
3. Stewardship and Protection of Core Habitat: Goal #2 (Marine Environment), #3 (Ground Water), #4 (Natural Habitat)
4. Connectivity

Community Character: Goal #1 (Community Character)

Goal #2 (Marine Environment)

New Business A letter from the Clark Cove Association to the Selectmen restates their position on the proposed land transfer by the state to a developer. Apparently a more definite position is requested by the Association from HCC. The Clark Cove land being one of several pieces owned by state and federal entities it was suggested that we write a letter stating our position on all such pieces, that we recommend the Town remain vigilant that they remain protected.

Adjourned at 5:45 PM,

Respectfully submitted, Anne Perry, Secretary

Meeting Schedule: **Tuesdays:** Feb. 19 (reg); Mar. 4 (w/s); **Wednesday** March 12 with Fred, all at 3:30 PM.

**Draft Vision, Goals, Policies and Actions
For
Harpswell Open Space Plan**

Background:

The Harpswell Conservation Commission has been asked to develop a draft Open Space Plan for the Town of Harpswell. The development of a vision, goals, policies and actions to achieve this Open Space Plan must be guided by and be based on the Harpswell Comprehensive Plan. The Comprehensive Plan was prepared and approved by Harpswell citizens in 2005. The Comprehensive Plan outlines a vision for the development of Harpswell and a set of goals, policies and actions for achieving this vision.

A Vision for Open Space in Harpswell Based on the Comprehensive Plan

- **Preservation of Open Space:** The key open spaces that make Harpswell a desirable place to live shall be conserved for future generations to enjoy and appreciate. Some natural areas will be preserved in order to provide opportunities for traditional outdoor recreational activities, such as hiking, picnicking, and hunting. Public access to the sea will be provided to permit recreational activities, such as boating, fishing, camping,

- picnicking and swimming.
- **Preservation of Community Character:** The character of Harpswell will continue to be defined by the Town's coastal, rural, small town, village atmosphere and its natural, cultural, scenic, and recreational assets.
- **Stewardship of High Value Natural Areas:** Those areas with high natural resource value will be subject to careful stewardship. Priority will be given to preserving land which protects our groundwater and marine environment, wildlife habitat, recreational opportunities and scenic areas.
- **Protection of Core Habitat:** The Town will protect its core habitat areas important to flora and fauna, and the corridors that link these core areas.
- **Foster Connectivity:** Conservation land and open spaces in town and with neighboring communities will be connected for the benefit of both habitat and recreation.
- **Management of New Residential Development:** New homes will be built as the community grows. New residential development will preserve natural features, provide buffers along roads, wetlands and streams and incorporate open space in the development.
- **Ensure Collaboration:** Community organizations, town government, landowners, developers, the public and representatives of adjacent towns will work together collaboratively to plan for, protect and manage the open space resources of the town. The guiding principle for land conservations will be that landowners retain the fair market value of their lands. Landowners will be actively involved in managing and protecting wildlife, outdoor recreation, groundwater and the marine environment.

Goals -Policies-Actions Related to Open Space Planning Outlined in the Harpswell Comprehensive Plan

1. Public Services (pages 47-48): Recreation and Public Access to Sea

Goal for Recreation: To enhance the quality of life and well-being of Harpswell citizens by continuing to preserve and develop its natural environment for outdoor recreation

Policies for Recreation:

- Encourage availability of and access to traditional inland recreation opportunities such as hunting, hiking and cross country skiing
- Provide facilities to meet recreational and community uses
- Maintain constructive partnerships with surround towns

Actions for Recreation:

- Evaluate outdoor spaces for future recreational use, including trails, ball fields, and playgrounds.

Goal for Public Access: Provide safe and convenient access to the ocean, including landings, docks, beaches, scenic waterfront areas, island and waterways with access points distributed throughout Harpswell

Policies for Public Access:

- Provide access throughout Harpswell to the ocean, including landings, docks, beaches, scenic waterfront areas, islands, and waterways

Actions for Public Access:

- Develop a plan to improve access
- Determine where new access pointed are need and establish them
- Inventory and map existing public access
- Identify access points most threatened by development and prioritize for protection

2. Natural habitat (page 31)

Goal: Preserve and protect sufficient habitat in order to maintain the current diversity and health of wildlife

Policies:

- Ensure that new development does not encroach upon critical natural areas or essential wildlife habitats
- Require setbacks for all five + acre wetlands and streams that drain into the ocean to protect their

ecological value and functions and their integrity as wildlife habitat

- Encourage landowners of wetlands, vernal pools and other essential wildlife habitats to use their property in a manner to not jeopardize the habitat value of their land

Actions:

- Identify and map critical natural areas and essential wildlife habitats and travel corridors
- Create and adopt an Open space Plan
- Develop ways for critical natural areas and essential wildlife habitats to be preserved, while allowing landowners the beneficial use of their property
- Revise the land use ordinances to protect the functions and values of the town's larger wetlands and streams that drain into the ocean
- Develop and implement a plan for protection critical upland habitat, wildlife travel corridors and vernal pools. Explore the use of conservation easements, land acquisition, transfer of development rights and managing the location of new roads to help accomplish this

3. Marine environment (page 24)

Goal: Maintain a high quality marine ecosystem

Policies:

- Ensure ordinances to protect the marine environment
- Establish performance standards to minimize the impact of new construction on streams that feed into the ocean
- Increase public knowledge of how to protect the marine environment from harmful human activities

Actions:

- Restrict use of herbicides, fertilizers, toxins, etc. near shoreline
- Commit resources to develop educational material for residents and schools for how to maintain marine environment

4. Ground water resources (page 29)

Goal: Protect the Town's groundwater in order to provide safe, adequate water supply

Policies:

- Reduce groundwater contamination from existing development
- Protect groundwater quality from growth and development
- Assure that future groundwater use does not exceed available supply
- Improve public knowledge of how to protect groundwater quality and assure sufficient quantity.

Actions:

- Develop materials regarding how to protect groundwater.
- Preserve open space to protect groundwater.

5. Community Character (page 17)

Goal: Manage the growth and development to maintain Harpswell's community character (i.e. preservation of the physical and cultural character of the town which includes a marine economy, historic villages and structures, coastal vistas and rural character)

Policies:

- Maintain traditional patterns of alternating rural and village development. Direct development to village areas.
- Sustain marine economy
- Sustain commercial and recreation heritage in sea
- Maintain diversity and abundance of wildlife, protect habitat from the adverse effects of development

- Sustain traditional connection to the land, preserve rural character of landscape, our farming and forestry environment and open spaces
- Maintain relationship to sea, protect our scenic vistas and protect and improve public access to the water
- Sustain our connection to the past by protecting historical structures and scale of neighborhoods
- Protect our groundwater from contamination and overuse

Actions:

- Amend land ordinances to maintain rural views from main roads and minimize new curb cuts
- Amend land use ordinances to protect marine environment from pollution
- Amend land ordinances to protect essential wildlife habitat from development
- Develop OSPlan to preserve and connect open space. Amend land ordinances to support preservation and connection of open spaces.
- Identify critical scenic water vistas and adopt methods to preserve them
- Develop materials to educate and inform owners of land undeveloped lots of their options for preservation and conservation under state law and through land trusts.
- Encourage cooperative use of recreational wharves
- Identify and inventory historic structures in town and work with owners to protect their historic character.
- Undertake a program to acquire and develop new points of access to public water.